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 MARGGRAFF, PAUL A. RIOUX and  
 MICHAEL C. WOOD

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

\*E-FILED - 10/5/05\*

In re LEAPFROG ENTERPRISES, INC.,  
 SECURITIES LITIGATION

No. C-03-05421 (RMW)  
 And Related Cases

CLASS ACTION

**STIPULATION AND  
 ORDER VACATING OCTOBER 14,  
 2005 CASE MANAGEMENT  
 CONFERENCES**

This Document Relates to:

All Actions.

DATE: October 14, 2005  
 TIME: 10:30 a.m.  
 JUDGE: The Honorable Ronald M.  
 Whyte

1 WHEREAS, on August 29, 2005, the Court issued an Order re Clerk's Notice of Setting  
2 Case Management Conference for October 14, 2005 in the action entitled *The Parnassus Fund,*  
3 *et al. v. Curley, et al.*, C-05-01695-RMW ("*Parnassus*");

4 WHEREAS, on August 29, 2005, the Court issued a similar notice setting a Case  
5 Management Conference on October 14, 2005 in the action *Gentry et al. v. Curley, et al.*, C-05-  
6 02279-RMW ("*Gentry*");

7 WHEREAS, on July 5 and 27, 2005, the Court issued orders relating the *Parnassus* and  
8 *Gentry* actions to the actions consolidated by the Court in its March 31, 2005 order in the instant  
9 *In re LeapFrog Enterprises, Inc., Securities Litigation*, No. C-03-05421 (RMW) ("*Miller*") (the  
10 *Miller* consolidated action and the *Parnassus* and *Gentry* actions are collectively referred to  
11 herein as the "LeapFrog Class Actions");

12 WHEREAS, the Court's orders of July 5 and 27 also directed that notice be published to  
13 members of the putative class of plaintiffs alleged in the Consolidated Complaint filed in *Miller*  
14 on June 17, 2005, and providing such putative class members with an opportunity to move to be  
15 appointed lead plaintiff within 60 days of such notice;

16 WHEREAS, in accordance with the Court's orders of July 5 and 27, notice to the putative  
17 class members was published on August 2, 2005, and the deadline for any plaintiff in the  
18 LeapFrog Class Actions to move to be appointed lead plaintiff is October 3, 2005; and

19 WHEREAS, because the lead plaintiff issues and the pleadings have not yet been settled,  
20 the parties believe that it would not be efficient to have the Case Management Conferences in the  
21 *Parnassus* and *Gentry* actions on October 14, 2005, and believe that the Case Management  
22 Conferences should be vacated until after the pleadings are settled.

23 NOW THEREFORE, it is stipulated and agreed by the parties to the *Parnassus* and  
24 *Gentry* actions, by and through their counsel of record and subject to the approval of the Court,

25  
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28 ///

1 that the October 14, 2005 Case Management Conferences should be vacated until after the  
2 pleadings are settled in the LeapFrog Class Actions and until further notice from the Court.

3 Dated: September 2, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

4  
5 By: /s/ Daniel W. Turbow  
Daniel W. Turbow

6  
7 Counsel for Defendants

8 Dated: September 2, 2005

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28 The Parnassus Fund And The Parnassus Equity  
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1 Dated: September 2, 2005

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6 By: /s/ Arthur L. Shingler III  
Arthur L. Shingler III

7 Counsel for Plaintiffs Fredde Gentry and  
8 Jason Kang

9  
10 **ORDER**

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12  
13 Dated: 10/5/05

/S/ RONALD M. WHYTE

14 The Honorable Ronald M. Whyte  
15 United States District Judge  
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1 I, Daniel W. Turbow, am the ECF User whose identification and password are being used  
2 to file this Stipulation and [Proposed] Order Vacating October 14, 2005 Case Management  
3 Conferences. In compliance with General Order 45.X.B, I hereby attest that Elizabeth Berney  
4 and Arthur L. Shingler III have concurred in this filing.

5 Dated: September 2, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

6  
7 By: /s/ Daniel W. Turbow  
8 Daniel W. Turbow

9 Counsel for Defendants  
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**CERTIFICATE OF SERVICE**

I, Franchette Garcia, declare:

I am employed in Santa Clara County, State of California. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

On this date, I served:

**STIPULATION AND [PROPOSED] ORDER VACATING OCTOBER 14, 2005  
CASE MANAGEMENT CONFERENCES**

☒ By placing the document(s) in a sealed envelope for collection and mailing with the United States Postal Service on this date to the following person(s):

See attached Service List

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of documents for delivery according to instructions indicated above. In the ordinary course of business, documents would be handled accordingly.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at Palo Alto, California on September 2, 2005.

/s/ Franchette Garcia  
Franchette Garcia

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